

EXHIBIT G

Terri Pechner-James
May 30, 2006
Deposition Answers Which Were Non-Responsive,
Evasive, Argumentative and/or Combative

1. Page 1193:

11 Q. The same thing for the tires being
12 slashed. Did you tell them that it was
13 done -- slashed by a Revere police officer?

14 A. Again, I didn't know who it was.

15 Q. Okay. But my question was, Did
16 you tell the doctors?

17 A. I told them it was never
18 investigated.

19 Q. Okay. Did you tell the doctors
20 that your tires were slashed by a Revere
21 police officer?

22 A. I told them I didn't know who it
23 was from.

2. Page 1199:

10 Q. How about any other superior
11 officers? Did you hear them say, "Do not back
12 up Officer Pechner," which was your name at
13 that time?

14 A. Have you ever heard that, Mike?

15 Q. I don't know. That's my question

16 to you.

17 A. No.

3. Pages 1203-1205:

10 Q. You have Exhibit 14 in front of you

11 still, ma'am, correct? Yes?

12 A. Yes.

13 Q. I just can't see it from where I'm

14 sitting. There's a reference in the part

15 entitled "Medical Record Review." It talks

16 about you were attempting to return to work in

17 September of 2002. I'd like you to tell me

18 about what happened on that occasion.

19 A. I don't remember.

20 Q. Okay. Did you attempt to return to

21 work in 2002?

22 A. I don't -- I don't remember.

23 Q. Okay. I know March 13th of 2001

24 was the last day you actually worked in the

1 Revere PD.

2 At any point in time after that did

3 you make any efforts by talking to any of the
4 police management in Revere about coming back
5 to work?

6 A. I spoke to Captain Murphy at
7 Marshalls while he was working a detail.

8 Q. He was working a detail?

9 A. Yes.

10 Q. About your returning to the police
11 department?

12 A. About him maybe doing an
13 investigation that was fair.

14 Q. Okay. What investigation -- I'm
15 sorry. I didn't follow you. What is the
16 investigation that you wanted Murphy to do
17 fairly?

18 A. Regarding Brian Goodwin.

19 Q. Okay. But had you talked to any
20 Revere police management about you coming back
21 to work? There's a reference to it in this
22 medical record, and I don't know anything
23 about it so I'd like to see if it's correct.

24 You're saying in September of '02
1 you didn't attempt to return to work, but

2 there's also a reference that says, "She was
3 not able to return after meeting with the
4 chief." Did I read that correctly?

5 A. (Looks at document.) You read it
6 correctly.

7 Q. Okay. Did you have a meeting with
8 the chief about your returning to work?

9 A. Chief Colannino, not Reardon.

10 Q. This would have been in the year
11 2001, you think?

12 A. I don't remember when.

13 Q. Let's see if we can construct the
14 time frame. You said March of 2001 you
15 stopped working, you were subsequently married
16 in May of 2001.

17 With these time frames laid out on
18 the table, any idea when you met with Chief
19 Colannino about your returning to work?

20 A. No.

21 Q. Would it have been before or after
22 you were married?

23 A. I don't remember.

4. Pages 1207-1208:

8 (Deposition Exhibit No. 23 marked.)

9 Q. Ms. James, I present you what's
10 before you, what's been marked as Exhibit 23
11 to this deposition, which I represent to you
12 is a doctor's note of Dr. Eric J. Keroack
13 regarding you which I received from Judge
14 Sorokin's court clerk via U. S. mail after
15 Mr. Dilday had presented the documents to
16 Judge Sorokin for his review.

17 So could you please take a look at
18 Exhibit 23 and also up in the upper right-hand
19 corner it has a number 62 on the top which our
20 office did to Bates stamp them because many of
21 them were not dated and also were not in any
22 sort of chronological order.

23 A. Go figure.

24 Q. Have you taken a look at
1 Exhibit 23?

2 A. Yes.

3 Q. You just mentioned something a
4 moment ago when I mentioned that some of the
5 documents were not dated or not in order, what

6 did you mean by "go figure"?

7 A. Occasionally, I have outbursts. I

8 don't know.

9 Q. Outbursts in what way?

10 A. I said go figure, figure of speech.

11 Q. Sarcastic?

12 A. Right.

13 Q. I'm gathering you to mean that

14 you're not surprised that Dr. Keroack provided

15 an undated office note and not in any order.

16 Is that what the "go figure"

17 reference is?

18 A. (No response.)

5. Page 1210:

9 Q. The line under the postpartum

10 depression reference, it says, "Marriage is a

11 disaster." Would that be accurate? Again,

12 this is sometime after July of '02. I can't

13 give you more reference because there's no

14 date on it.

15 A. That's what he wrote.

16 Q. Okay. Well, was that something you

17 told him?

18 A. My marriage has had its ups and
19 downs, so at that point it was probably a
20 disaster at the time.

6. Pages 1211-1213:

10 Q. You also discussed the incident
11 with Todd Randall in the police cruiser where
12 you testified previously you were sexually
13 molested?

14 A. Correct.

15 Q. It says down at the bottom here,
16 "To incident in police cruiser which perhaps
17 explains her PTSD."

18 Did I read that correctly from the
19 doctor's notes?

20 A. That's his opinion --

21 Q. Okay.

22 A. -- on what caused the PTSD.

23 Q. Okay. All right. And also I did
24 read or paraphrase correctly what the doctor
1 had put in on Exhibit 23?

2 A. Yes.

3 Q. Okay. And it looks like a
4 signature on the bottom right corner. Would
5 you recognize it as Dr. Keroack's?

6 MR. DILDAY: Right here.

7 THE WITNESS: Yeah.

8 Q. If you don't know, ma'am, just
9 say --

10 A. I don't know.

11 Q. Okay. So does this refresh your
12 memory of any conversations or discussions
13 with Dr. Keroack about the cause of the
14 posttraumatic stress disorder?

15 A. Posttraumatic stress disorder was
16 spoken before 2002, if that's when -- you
17 know, when this happened. I didn't go in
18 there originally discussing a sexual assault
19 when I was a child.

20 As a matter of fact, I didn't
21 recall the incident until I had the EMDR with
22 On-Site, and I did the EMDR with the assault
23 that happened with Officer Randall, and when
24 they did the EMDR, that's when it brought up
1 my childhood trauma so...

2 Q. Okay. My question was, Having
3 read Exhibit 23, more specifically, the bottom
4 third of the document, does that refresh your
5 recollection about any conversations or
6 discussions you had with Dr. Keroack as to the
7 cause of the posttraumatic stress disorder?

8 A. I don't remember.

9 Q. So this doesn't -- Exhibit 23
10 doesn't refresh any recollection in your mind?

11 A. No.

7. Pages 1233-1234:

13 Q. Okay. When you go to work in, I
14 believe it was, the Georgetown school system
15 as a substitute, what do you do with your
16 youngest child?

17 A. She goes to preschool.

18 Q. Does Mark work, that is, Mr. James?

19 A. No.

20 Q. Has he worked since he has been
21 retired from the Revere PD?

22 A. Yes.

23 Q. What type of employment has he had?

24 A. I'm not answering questions about
1 him.

2 Q. I'm sorry?

3 A. I'm not answering questions about
4 him.

5 MR. PORR: Mark the record, please.

6 MR. AKERSON: We'll get back to
7 him. I'll move on to a new topic, Jim, okay?

8 MR. DILDAY: Yes.

8. Page 1253:

5 Q. There's also a Charles Callahan.
6 He's also on this list. Why would he be on
7 this list?

8 A. To be perfectly honest with you,
9 both of them as my union representative should
10 have been representing me at the time.

11 I was a union-paying member of the
12 MPA. Maybe you'd be sitting here next to me
13 instead of me having to pay for my counsel and
14 sitting over here and you're sitting on that
15 side of the table, Mike.

16 Maybe that should have been the way

17 that it went. Maybe Charles and Patty should
18 have done something to stop this a long time
19 ago.

20 Q. What about Charles Callahan? Any
21 sense as to why his name is on this list?

22 A. No.

9. Pages 1270-1275:

19 Q. Okay. I had asked some questions
20 previously of you regarding your husband, Mark
21 James, his private life, and you indicated at
22 that point in time you were not going to
23 answer any questions regarding it. Do you
24 recall saying that?

1 A. Yes.

2 Q. Is that still your position?

3 A. I mean you just put a paper in
4 front of me that didn't -- a medical report in
5 front of me that didn't pertain to me.

6 Q. You're pointing to Exhibit 34,
7 Ms. James?

8 A. Correct.

9 Q. At the top of the document, it has

10 your name on it?

11 A. That's why we went in front of the
12 judge, because apparently he didn't
13 differentiate between whose name should be on
14 that.

15 Q. I don't know what you're talking
16 about, Ms. James, but I know that Exhibit 34
17 has your name on top of it, which is why I was
18 asking you questions about it. Mr. Dilday,
19 Ms. James, do you intend not to answer my
20 questions about Mark James as you indicated
21 earlier today?

22 MR. DILDAY: Yes, because it seems
23 that most of these things regarding Mark come
24 after she left the police department, and so
1 if they come after the police department, when
2 she left them, then unless one can clearly
3 show that Mark's issues tie in to her
4 posttraumatic stress disorder, I see no reason
5 to answer them. What I suggest we do is you
6 ask the questions and we'll deal with them one
7 by one.

8 MR. AKERSON: I think it will be

9 easier like this. When I started talking
10 about the damages earlier today, Ms. James
11 indicates she's got some lost wages and
12 eating, fearing, focusing, anxiety issues.
13 She had a laundry list of the damage claims.
14 She also mentioned her relationship
15 with her husband as part of the damage claim.
16 So if Mark James has some issues on his own
17 and those would affect the relationship with
18 Ms. James and she's claiming that as a damage,
19 I think it's certainly fair game in terms of
20 finding out what the -- the current word
21 called stressors existed as of -- during the
22 time of their relationship.

23 MR. DILDAY: That's a good analogy.
24 However, even though she may have said that, I
1 don't think that we've ever talked about any
2 loss of consortium claim either for Mark or
3 for her in the lawsuit.

4 MR. AKERSON: Well, independent of
5 her loss of consortium claim, Ms. James
6 indicated earlier today on the record that one
7 of the elements of her damages is her
8 relationship with her husband -- I'm going to

9 surmise here -- adverse change, downward
10 change of the relationship.

11 MR. DILDAY: I understand. And
12 what he's asking is if the stressors from the
13 police department adversely affected the way
14 that you interacted with your husband, those
15 questions, I think, would be appropriate for
16 you to answer if you can.

17 THE WITNESS: Okay.

18 Q. Let me see if I can capsule this
19 part. Ms. James, are you claiming here at
20 this deposition that your relationship with
21 your husband has adversely changed, a downward
22 change, due to what you believe are the
23 results of your mistreatment while employed by
24 the City of Revere?

1 A. No.

2 MR. AKERSON: So, for the record,
3 it appears, Mr. Dilday, that Ms. James is
4 saying that her relationship has not adversely
5 changed because of her relationship with her
6 husband.

7 MR. DILDAY: Yes.

8 MR. AKERSON: No. The husband's

9 relationship hasn't changed. No. That's bad.

10 Her relationship with her husband has not
11 changed as a result of the Revere police
12 allegations she's making.

13 Because I'm going to need to go
14 into Mark James' details, specific details
15 regarding his relationship with her, the
16 details of the relationship, the stressors he
17 had in his life which may have spilled over
18 into Ms. James' life.

19 MR. DILDAY: I understand and if
20 she says no --

21 MR. AKERSON: Which she just did.

22 MR. DILDAY: Right. Then that
23 shouldn't matter what his stressors are now
24 based upon her answer there.

1 MR. AKERSON: All right. I'm going
2 to keep moving on. Sounds good.

10. Pages 1294-1296:

20 Q. Okay. As you look forward today to
21 the future, do you plan to have any treatment
22 to resolve the fact that you still have

23 problems eating?

24 A. What am I going to do?

1 Q. That was my question to you. If

2 you have any known plans to see -- seek any

3 doctors or have any surgery to aid you along

4 in being able to eat?

5 A. I don't think there's surgery for

6 stress.

7 Q. Is that what -- that was my next

8 question, actually, you answered it. But with

9 regard to the fact that you couldn't eat, were

10 you ever given a diagnosis of why you can't

11 eat?

12 A. No.

13 Q. Okay. Have any doctors ever talked

14 to you about a prognosis, looking in the

15 future, in terms of your inability to eat?

16 A. No.

17 Q. When's the last time you saw a

18 doctor for the fact that you have -- your

19 stomach doesn't allow you to eat?

20 A. That's one of my lesser problems.

21 Q. Okay. Well, if you could answer

22 the question. Do you know when the last time
23 was that you saw a doctor for your stomach and
24 that you couldn't eat?

1 A. No.

11. Pages 1300-1301:

18 Q. When you went to the emergency room
19 at Leominster Hospital in April of 2006, were
20 you there for anything else other than the
21 stomach and back pain you were suffering?

22 A. Yeah. I couldn't go to the
23 bathroom.

24 Q. Were some medical procedures done
1 to help you along in that way?

2 A. Yeah. My own benefit.

3 Q. Pardon me?

4 A. Yeah. I gave myself a medical
5 procedure.

12. Page 1308:

3 Q. Any of my clients -- I think you
4 know the names by now, don't make me repeat

5 them all -- but Colannino, Russo, Murphy,

6 Nelson, Foster, Ford, Santoro --

7 MR. PORR: Roland.

8 Q. Roland, thank you. Did you have

9 any interactions with any of those folks?

10 A. I don't think Joe would invite them

11 to his wedding.

12 Q. My question was a little bit --

13 A. I think you know that. I think you

14 know that, Mike.

15 Q. My question was a little bit

16 different. Did you have any interactions with

17 them at the wedding?

18 A. None of those were there.

13. Pages 1316-1317:

5 Q. You indicated that you can't be a

6 police officer. By that, do you mean that

7 somebody has told you that you can't be a

8 police officer?

9 A. Tell you what. You take away

10 everything that's happened to me - okay? -

11 give me back my job as a police officer and

12 punish those guys for what they did wrong and

13 see if I can be a police officer. Okay?

14 Because I certainly don't enjoy

15 sitting here, talking about this shit that

16 happened to me on the job. Give me back my

17 job. I'll take my job back in a heartbeat

18 rather than take this lawsuit and take this

19 pension.

20 I'd rather have my job back. I'd

21 rather live normal like those guys are doing

22 on a regular basis. That's normal. They get

23 their pay. They go to work.

24 Do you think I enjoy doing this?

1 Give me back my job. Send me to the medical

2 panel. Do what you've got to do. Give me

3 back my job. Punish those guys for what they

4 did wrong.

5 Q. Would you want to continue to be a

6 police officer?

7 A. I would love to have my job. Do

8 you think I went to school, do you think I got

9 a degree, so that I could come this far to sue

10 the police department to walk away with a

11 pension, so that I can live with nightmares

12 and terrors, so that I could be sexually

13 assaulted on the job?

14 Who knows what Todd Randall has

15 done on the job. Who knows what he's done to

16 other people that I have to live with. You

17 see it, Mike. You see it.

18 MR. AKERSON: Jim, do you want to

19 take a break?

20 MR. DILDAY: Yeah. Let's walk

21 outside for a minute.

22 (Recess taken from 3:35 P. M. to

23 3:45 P. M.)

14. Page 1319:

5 Q. Has anybody told you that you can't

6 be a police officer at another community other

7 than Revere?

8 A. I can't work for TJ Maxx.

9 Q. I'm sorry. I didn't follow you.

10 You can't work for TJ Maxx? Just my question

11 was, Did anyone tell you that you can't be a

12 police officer for some other community,

13 meaning not Revere?

14 A. I don't know.

15 Q. Do you have any understanding that
16 somebody has told you, or suggested to you,
17 that you can't be a police officer for other
18 communities?

19 A. I don't know.

15. Pages 1327-1330:

7 You also said something else that
8 you wanted to state on the record, that you
9 were afraid for your life?

10 A. I am.

11 Q. Is that because of the Todd Randall
12 statement you made about him having sexually
13 assaulted you, or was there something else, or
14 a combination of them?

15 A. I feared for my life since I filed
16 this complaint.

17 Q. I'd like to address that, if we
18 can. The lawsuit, to my understanding, was
19 filed sometime in 2003. Is that your memory
20 as well?

21 A. Yup.

22 Q. Okay. Since 2003, Ms. James, other
23 than your filing the lawsuit, has anything
24 happened which has made you have to go on the
1 record here at the deposition and say that
2 you're afraid for your life? My question is,
3 Has something else happened?

4 A. No.

5 Q. To my understanding, the only
6 contact you've had since 2003 with my clients,
7 a lot of the police supervisors, the only
8 contact you've had directly with the
9 supervisors has been when you went to the
10 Revere police station last fall to talk to
11 Captain Murphy; is that correct?

12 A. That's correct.

13 Q. Okay. And on that occasion, you
14 went to Captain Murphy to speak with him,
15 correct?

16 A. That's correct.

17 Q. And in that meeting, you knew that
18 you had filed a lawsuit at the court and had
19 named Captain Murphy as a defendant, correct?

20 A. Correct.

21 Q. Okay. But despite that, Captain

22 Murphy, I think you said, he was cordial and

23 polite to you, correct?

24 A. Correct.

1 Q. At no point in time did Captain

2 Murphy, in that November of 2005 meeting, in

3 any way intimate to you that you should be

4 fearful or in any way scared, correct?

5 A. Correct.

6 Q. So can you put any specific names

7 attached to the reasons you felt you had to go

8 on the record today to say that you were

9 afraid for your life?

10 A. I don't understand your question.

11 Q. Sure. That's fine if you don't.

12 I'll repeat it. You went on the record today

13 stating that you wanted to go on the record

14 because you were afraid for your life.

15 I'm trying to find out specifically

16 the names of any individuals you could give to

17 us as to the basis for your being afraid for

18 your life.

19 A. Do you want me to dig my grave

20 faster, Mike? (Indicates.)

21 Q. I'm just trying to find out if you

22 have any names of any specific people which

23 make you afraid for your life.

24 A. I just told you, Todd Randall.

1 Q. Okay. You did mention him. Other

2 than Todd Randall, do you have any other names

3 of individuals who make you afraid for your

4 life?

5 A. No.

16. Page 1338-1339:

18 Q. We're talking about emotional

19 distress. Specifically, do you have any

20 emotional distress with regard to your current

21 financial situation?

22 A. No.

23 Q. Excuse me?

24 A. No.

1 Q. In part, that's because you're

2 receiving the accidental disability

3 retirement?

4 A. If that's what you say.

5 Q. No. That was a question.

6 A. Oh, was it?

7 Q. Is the fact that you're not

8 having --

9 A. I thought it was a comment.

10 Q. Your not having stress stemming

11 from your finances, is that because of the

12 fact that you're receiving accidental

13 disability retirement pay?

14 A. No.

15 Q. Why are you not having any

16 financial stress?

17 A. I don't know.

18 Q. You mentioned earlier about

19 finances, in terms of looking for a job, that

20 TJ Maxx wouldn't even hire you. What do you

21 mean by that, Ms. James?

22 A. It means that I filed an

23 application with TJ Maxx and they didn't hire

24 me.